

RESOLUTION NUMBER R- 314130

DATE OF FINAL PASSAGE MAY 31 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DIRECTING THE CITY'S MANAGEMENT FOR LABOR RELATIONS TO ENGAGE IN COLLECTIVE BARGAINING, AS REQUIRED BY THE MEYERS-MILIAS-BROWN ACT, RELATED TO PROPOSED AMENDED INTERIM STANDARD OPERATING PROCEDURES OF THE COMMISSION ON POLICE PRACTICES.

WHEREAS, on November 3, 2020, City of San Diego (City) voters approved Measure B to establish the Commission on Police Practices (Commission), which supersedes the City's Community Review Board on Police Practices (CRB); and

WHEREAS, Measure B amended the City Charter (Charter) to, among other things, add section 41.2; and

WHEREAS, the Charter amendments set forth in Measure B took effect on December 18, 2020, when the California Secretary of State chaptered them; and

WHEREAS, under Charter section 41.2, the Commission is established as an investigatory body of the City, independent of the Mayor and the Police Department; and

WHEREAS, the Commission has certain mandatory duties and discretionary powers, as described in section 41.2, and the City Council (Council) may, by ordinance, mandate additional duties and authorize additional powers for the Commission, consistent with the Charter and applicable federal and state law; and

WHEREAS, Charter section 41.2 provides that the Commission will be composed of members of the CRB serving at the time the section takes effect (interim Commission), until the Council has formally appointed members to the Commission; and

WHEREAS, Charter section 41.2 requires the Council to establish, by ordinance, certain matters related to the Commission, including its composition and how the Commission will carry out its Charter-mandated duties, and the Council recognizes that there are several policy determinations that the Council must make to fully implement the Commission; and

WHEREAS, the Council further recognizes that the City must ensure compliance with the Meyers-Milias-Brown Act (MMBA), California's collective bargaining law that applies to public agencies like this City, before the Council makes final implementation decisions on matters subject to bargaining; and

WHEREAS, by San Diego Resolution R-313501 (May 5, 2021), following a collective bargaining process, the Council approved interim standard operating procedures to be used while final implementation decisions can be made; and

WHEREAS, by San Diego Resolution R-313925 (Mar. 9, 2022), the Council directed the City's management team for labor relations to engage in the collective bargaining process required under the MMBA related to the draft implementation ordinance required by Charter section 41.2; and

WHEREAS, the interim Commission is now proposing amendments to the Council-approved interim standard operating procedures to be implemented while final decisions related to the Commission can be discussed and made; and

WHEREAS, on April 27, 2022, the Council's Public Safety and Livable Neighborhoods Committee considered the proposed amended interim standard operating procedures and voted to advance the proposed procedures to the Council to direct the City's management team for labor relations to engage in the collective bargaining process and then return to the Council for a final determination; NOW, THEREFORE,

BE IT RESOLVED, that the Council directs the City's management team for labor relations to engage in the collective bargaining process on the mandatory subjects of bargaining related to proposed amended interim operating procedures of the Commission on Police Practices, which are on file in the Office of the City Clerk, as Document No.

RR- 314130, and the Council further directs the City's management team to return to the Council for a final determination on the proposed procedures.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Joan F. Dawson
Joan F. Dawson
Senior Deputy City Attorney

JFD:cm
May 9, 2022
Or.Dept: Office of the Commission on Police Practices
Doc. No. 2974254

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 24 2022.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 5/31/22
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 24 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 31 2022

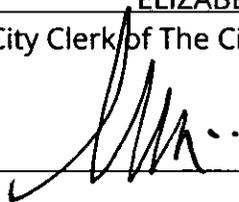
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>314130</u>